

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,) CASE NO. CR07-277-RSM
)
Plaintiff,)
)
v.)
) DETENTION ORDER
MICHAEL BURNIE FJERSTAD,)
)
Defendant.)
_____)

Offense charged: Distribution of Methamphetamine (2 counts); Possession of
Methamphetamine with Intent to Distribute

Date of Detention Hearing: August 10, 2007

The Court, having conducted a detention hearing pursuant to 18 U.S.C. § 3142(f), and
based upon the factual findings and statement of reasons for detention hereafter set forth, finds
that no condition or combination of conditions which defendant can meet will reasonably assure
the appearance of defendant as required and the safety of other persons and the community.

FINDINGS OF FACT AND STATEMENT OF REASONS FOR DETENTION

1. Defendant has been charged with felony drug offenses the maximum penalty for

01 which is in excess of ten years. There is therefore a rebuttable presumption against defendant as
02 to both dangerousness and flight risk, under 18 U.S.C. §3142(e).

03 2. Defendant has a long criminal history involving many, many failures to appear for
04 hearing, violations of probation, failures to appear for jail commitment, failures to comply, and
05 bench warrant activity. There are pending forgery charges in Snohomish County Superior Court
06 from 2006. There is at least one and possible multiple active bench warrants.

07 3. Defendant has a recent history of use of controlled substances.

08 4. Taken as a whole, the record does not effectively rebut the presumption that no
09 condition or combination of conditions will reasonably assure the appearance of the defendant as
10 required and the safety of the community.

11 It is therefore ORDERED:

12 (1) Defendant shall be detained pending trial and committed to the custody of the
13 Attorney General for confinement in a correction facility separate, to the extent
14 practicable, from persons awaiting or serving sentences or being held in custody
15 pending appeal;

16 (2) Defendant shall be afforded reasonable opportunity for private consultation with
17 counsel;

18 (3) On order of a court of the United States or on request of an attorney for the
19 Government, the person in charge of the corrections facility in which defendant is
20 confined shall deliver the defendant to a United States Marshal for the purpose of
21 an appearance in connection with a court proceeding; and

22 (4) The clerk shall direct copies of this Order to counsel for the United States, to

01 counsel for the defendant, to the United States Marshal, and to the United States
02 Pretrial Services Officer.

03 DATED this 10th day of August, 2007.

04 

05 Mary Alice Theiler
06 United States Magistrate Judge